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ATTORNEYS FOR DEFENDANT
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

EMERALD TUCKER, Personal
Representative of the Estate of
ANTHONY SANCHEZ,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CV 20-94-GF-BMM

STIPULATION FOR
PROTECTIVE ORDER

Plaintiff Emerald Tucker, Personal Representative of the Estate of Anthony Sanchez, and Defendant United States of America stipulate as follows:

1. The parties acknowledge this case involves allegations related to a law enforcement investigation of the apparent suicide of Anthony Sanchez. Tucker alleges tribal officer Lex Helgeson caused or contributed to this suicide. The United States disputes those allegations. Sensitive information may have been obtained during the law enforcement investigation of Sanchez's apparent suicide, such as interviews and statements of witnesses and third parties, law enforcement photos, post-mortem and coroner reports, and other sensitive information. Tucker might also be seeking in discovery personnel and internal affairs investigative files for Officer Helgeson, as related to the allegations in this lawsuit.

2. The above-referenced sensitive information, documents or evidence is protected by the Privacy Act and various law enforcement privileges.

3. Information, documents or evidence obtained during the above-described law enforcement investigation, internal affairs investigation, and in the personnel file of Officer Helgeson, might be relevant to the claims and defenses of the parties in this litigation. In addition, the United States may need to disclose the above-described sensitive information, evidence, or documents for its own defense and during discovery. Therefore, the parties stipulate to the entry of a protective order, which includes the following directives:

a. All documents, information and evidence produced in this litigation related to the law enforcement investigation, internal affairs investigation, and personnel file of Officer Helgeson shall be used only for the purposes of and within the confines of this case. All such documents and items shall be shown only to the parties to this case, their attorneys and attorneys' employees, any parties' retained or unretained experts or consultants, judges, court personnel, or mediators agreed upon by the parties to conduct a settlement conference, and/or witnesses to prepare for or during, deposition or trial testimony. Such documents may be used as exhibits during depositions, motions for summary judgment and for trial. None of the documents or information described above shall be released, shown to, or otherwise disclosed to any other person, firm or entity, except as described above, unless ordered by the Court.

b. At the conclusion of this lawsuit, all of the documents and items described above shall be returned to counsel for the United States or destroyed by Tucker's counsel.

4. Notwithstanding anything to the contrary in this Stipulation for Protective Order, in no event shall this Stipulation for Protective Order be construed as a waiver by any of the parties of the right to assert any privilege against disclosure or any other basis justifying the non-disclosure of documents,

including but not limited to the attorney-client and work product privileges. The parties retain the right to make objections to specific discovery requests or responses and to submit motions seeking to quash production of documents or to compel production.

DATED this 27th day of January 2021.

LEIF M. JOHNSON
Acting United States Attorney

/s/ Randy J. Tanner
Assistant U.S. Attorney
Attorney for Defendant

Bechtold Law Firm, PLLC

/s/ Timothy M. Bechtold
Attorney for Plaintiff